

August 25, 2017

VIA ELECTRONIC-FILING

The Honorable Leonard P. Stark
U.S. District Court for the District of Delaware
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801-3556

Re: *International Business Machines Corporation v. Groupon, Inc.*
C.A. No. 16-122-LPS-CJB

Dear Chief Judge Stark:

The parties in the above-referenced matter, Plaintiff International Business Machines Corporation (“IBM”) and Defendant Groupon, Inc. (“Groupon”), write to request the scheduling of a discovery teleconference, pursuant to paragraph 8g of the Court’s Scheduling Order. (D.I. 17). The following attorneys, including at least one Delaware Counsel and at least one Lead Counsel per party, participated in verbal meet-and-confer sessions by telephone on August 11, 2017 and made efforts to further confer but are at an impasse.

Delaware Counsel:

Bindu Palapura for IBM
John Day for Groupon

Lead Counsel:

Robert Harrits for IBM
Adam Lewin for Groupon
Phil Haack for Groupon

The disputes requiring judicial attention are listed below:

- IBM seeks to preclude Groupon from sharing IBM’s confidential information with Dr. James Malackowski and any other individuals employed by, related to, or having an interest in Ocean Tomo, LLC.

Respectfully,

/s/ Bindu A. Palapura

Bindu A. Palapura

BAPnmt/5376173/43155

cc: Clerk of the Court (via hand delivery)
Counsel of Record (via electronic mail)